IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1862 OF 2005
IN
SECOND APPEAL NO.575 OF 1996

Ashok Vishnu Pore .. Applicant
Versus
Sambhaji Yashwant Khadye since
deceased through his LRS and Ors.. Respondents

Mr.N.Z.Zodge for applicant

CORAM : P.V.KAKADE, J.

DATE : 21ST OCTOBER, 2005

P.C.:

1. Heard advocate for the applicant. He has made application for deletion the names of Respondent Nos.2, 3, 5 and 4A to 4F. Respondent NO.2 is said to be deleted on the ground that bailiff has remarked that his address is not found in the given address at Memo of appeal. Respondent Nos.3 and 5 are since dead and Respondent Nos.4A to 4F are said to be deleted as they are heirs and legal representative of one Mr.Kashinath Respondent No.4 since deceased.

2. Perused the record which clearly shows that the said respondent sought to be interested in adjudication of their rights in the suit property. Under the

circumstances, the application cannot be considered and stands dismissed. It is clarified that if the appellant wants to proceed with the matter he shall have to bring the legal heirs of deceased Respondents on record as per relevant rules and would also seek permission and order of the Registrar for Public Notice so far as Respondent no.2 is concerned, whose address is said to be not known. With this direction the application stands disposed of.